

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

FILED

DEC 14 2011

CLERK, US DISTRICT COURT
NORFOLK, VA

Kimberly Morgan Henretty)
Defendant/Petitioner)
)
vs) Criminal Number: 4:10cr43
)
United States of America) MOTION TO AMEND
Respondent)

COMES NOW, the Defendant, Kimberly Morgan Henretty, Pro Se and requests upon this Honorable Court to amend the Defendant's Judgement and Commitment Order to indicate her participation in the Inmate Financial Responsibility Program is waived. Ms. Henretty has participated with payments in excess of \$150 per month since April, 2011. She has paid a total of \$1751.00. These payments have been made by her husband because IFRP "refusal" at Alderson would cause Ms. Henretty to lose her living quarters. The defendant's husband has recently been laid off of his job and is currently on unemployment. The Inmate Financial Responsibility Program is not required while incarcerated. Participation is voluntary as clarified in the case of U.S. vs Munoz F.3d (7th Circuit, July 9, 2010) 2010 No. 09-1118, June 11, 2010 and U.S. vs Boyd 609F.3d331 (7th Circuit 2010 U.S. Court of Appeals).

If the court still requires participation, the defendant requests a fixed amount be ordered for no more than \$25.00 per month with the remainder of the restitution to be paid 60 days after defendant's release from Bureau of Prisons at \$250.00 per month as originally stated in her Judgement and Commitment Order. The defendant earns \$17 per month with no opportunity for increase and prays the burden of her restitution not be placed upon her husband during her incarceration.

The defendant humbly prays for any and all relief possible.
Respectfully Submitted this 8th Day of December, 2011

Kimberly Morgan Henretty
Kimberly Morgan Henretty
Federal Prison Camp, P.O. Box A, Alderson, WI 24910

CERTIFICATE OF SERVICE

This is to certify that I have served a true and correct copy of the foregoing:

MOTION TO AMEND JUDGEMENT AND COMMITMENT ORDER
United States District Court, Clerk
Eastern District, 600 Granby Street, Norfolk, VA 23510

which was hand delivered to prison authorities at mail room provided for inmates on teh grounds of the Federal Prison Camp, Alderson, Wv

8th Day of December, 2011

Kimberly Morgan Henretty

Kimberly Morgan Henretty
Federal Prison Camp
P.O. Box A, Alderson, Wv 24910
Inmate: 75594-083 Unit: B-4

FILED
IN OPEN COURT

AUG 4 2010

CLERK, U.S. DISTRICT COURT
NORFOLK, VA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NEWPORT NEWS DIVISION

UNITED STATES OF AMERICA

v.

No. 4:10cr00043-002

KIMBERLY MORGAN HENRETTY.

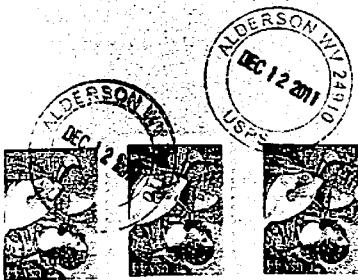
RESTITUTION JUDGMENT

1. The defendant is sentenced to pay restitution in the amount of \$265,507.00, jointly and severally with any co-defendants who are ordered to pay restitution for the same loss.¹
2. The amount of restitution paid to a victim, collectively, shall not exceed the victim's total loss from the offense of conviction.
3. The victim's name, address, and the victim's total loss, is listed in Attachment A to this Restitution Judgment.
4. Interest:
 is waived.
 accrues as provided in 18 U.S.C. § 3612(f).
5. Restitution is due immediately, and notwithstanding any other provision of this Restitution Judgment, the Government may enforce restitution at any time. The defendant shall make a bona fide effort to pay restitution in full as soon as practical.
6. If incarcerated, the defendant shall participate in the Bureau of Prisons' Inmate Financial Responsibility Program at a rate of at least \$25 per quarter, or if assigned as a UNICOR grade 1 through 4 employee, at least 50% of the prisoner's monthly pay.
7. The defendant shall pay to the Clerk at least \$250 per month beginning
60 days after release from incarceration if not.
shorter paid in full or partially.
8. All payments shall be made to the Clerk of Court, United States District Court, 600 Granby Street, Norfolk, VA 23510-1811, or to the Bureau of Prisons while incarcerated.

¹ The presently known co-defendant is James Clayton Morgan, Docket No. 4:10cr00043-001, who is scheduled to be sentenced on August 4, 2010.

United States District Court
Eastern District of Virginia
400 North 8th Street
Alexandria, VA 22314

Legal
mail



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